

USDC SDNY

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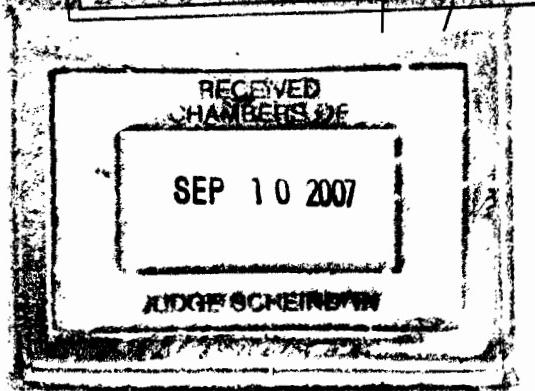
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DATE FILED: 9/10/07

**Shira A. Scheindlin**  
**UNITED STATES JUDGE**  
 United States District Court, for the  
 Southern District of NY  
 500 Pearl Street  
 New York, New York

September 10, 2007



**Re:** Roman Hugo vs. Dee Designs, Inc  
 Index #07 Civ. 5733

Dear Judge Scheindlin,

I, Roman Avshalumov, an attorney with the law firm of Helen F. Dalton and Assoc. P.C., represent the Plaintiff in the above referenced matter.

An initial conference on this case is scheduled for September 12, 2007 at 11:30 AM.

I have been in contact with the defendants' attorney Adam Chodos. We were involved in settlement negotiations until August 22, 2007, when he advised me that defendants will be obtaining new counsel. However, we have not heard from anyone since then and Defendants failed to answer or otherwise appear in this case and are presently in default. Although Adam Chodos asked me to stipulate to extend time to answer, to which I agreed, he did not send us a stipulation to be signed and filed with the court.

I have been trying to reach Mr. Chodos to advise him of the scheduled conference, but was not able to. I called him on September 4<sup>th</sup>, 6<sup>th</sup>, 7<sup>th</sup> and 10<sup>th</sup>, leaving him numerous messages advising of the scheduling conference and asking to answer. I also served him with the order and providing you with the copy of the same. However, again, I did not get a response. Thus, the scheduling order was not filled out and, I am afraid, defendants will not show up for the scheduled conference.

Therefore, I am requesting an adjournment to November 2, 2007 or any other date more convenient for you, in order to give defendants another chance to answer and fill out the scheduling conference worksheet.

Respectfully submitted,

Roman Avshalumov, Esq.  
 R.A. 5508

Conferece adjourned to Nov 6  
 adjourned to Nov 6  
 at 4:30 no further  
 adjournment  
 to ordered: *MSD* *MSD*  
*MSD* 9/10/07

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